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# COMPLIANCE WITH ARMS LIMITATION AND DISARMAMENT OBLIGATIONS

## Report of the First Committee

Rapporteur: Mr. Miloš KOTEREC (Slovakia)

## I. INTRODUCTION

1. The item entitled "Compliance with arms limitation and disarmament obligations" was included in the provisional agenda of the fifty-second session of the General Assembly in accordance with Assembly resolution 50/60 of 12 December 1995.

2. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 9 October 1997, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 62 to 82, which was held at the 3rd to 12th meetings, from 13 to 17 and from 20 to 24 October (see A/C.1/52/PV.3-12). Structured discussions of specific subjects on the adopted thematic approach were held at six informal meetings, from 27 to 31 October. Draft resolutions on the items were considered at the 15th to 17th meetings, from 5 to 7 November (see A/C.1/52/PV.15-17); action was taken on them at the 18th to 24th meetings, from 10 to 14 and on 17 November (see A/C.1/52/PV.18-24).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Letter dated 28 May 1997 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General, transmitting the text of the Founding Act on Mutual Relations, Cooperation and Security between the North Atlantic Treaty Organization and the Russian Federation (A/52/161-S/1997/413);



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(b) Letter dated 23 September 1997 from the Permanent Representative of the Marshall Islands to the United Nations addressed to the Secretary-General, transmitting the communiqué of the twenty-eighth South Pacific Forum, held at Rarotonga from 17 to 19 September 1997 (A/52/413);

(c) Letter dated 1 October 1997 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General, transmitting the communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries to the fifty-second session of the General Assembly, held in New York on 25 September 1997 (A/52/447-S/1997/775).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/52/L.33/Rev.1 and Rev.2

5. At the 16th meeting, on 6 November, the representative of the United States of America, on behalf of Argentina, Australia, Austria, Bangladesh, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, the Czech Republic, Denmark, Ecuador, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Lithuania, Luxembourg, Malawi, Malta, the Marshall Islands, Monaco, Mongolia, Nepal, the Netherlands, New Zealand, the Niger, Norway, Paraguay, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Singapore, Slovakia, Slovenia, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay introduced a draft resolution entitled "Compliance with arms limitation and disarmament and non-proliferation agreements" (A/C.1/52/L.33/Rev.1).

6. At its 19th meeting, on 11 November, the Committee had before it a revised draft resolution (A/C.1/52/L.33/Rev.2) submitted by the sponsors of draft resolution A/C.1/52/L.33/Rev.1, subsequently joined by Cyprus and Ukraine, in which the words "arms control, non-proliferation, and disarmament agreements", in the ninth preambular paragraph, were replaced by the words "arms limitation and disarmament and non-proliferation agreements".

7. At the same meeting, the Committee adopted draft resolution A/C.1/52/L.33/Rev.2 without a vote (see para. 8).

## III. RECOMMENDATION OF THE FIRST COMMITTEE

8. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

## Compliance with arms limitation and disarmament and non-proliferation agreements

The General Assembly,

Recalling its resolution 50/60 of 12 December 1995 and other relevant resolutions on the question,

Recognizing the abiding concern of all Member States for maintaining respect for rights and obligations arising from treaties and other sources of international law,

Convinced that observance of the Charter of the United Nations, relevant treaties and other sources of international law is essential for the strengthening of international security,

Mindful, in particular, of the fundamental importance of full implementation and strict observance of agreements and other agreed obligations on arms limitation and disarmament and non-proliferation by States parties if individual nations and the international community are to derive enhanced security from them,

Stressing that any violation of such agreements and other agreed obligations by States parties not only adversely affects the security of States parties but can also create security risks for other States relying on the constraints and commitments stipulated in those agreements and other agreed obligations,

Stressing also that any weakening of confidence in such agreements and other agreed obligations diminishes their contribution to global or regional stability and to further arms limitation and disarmament and non-proliferation efforts, and undermines the credibility and effectiveness of the international legal system,

Recognizing, in this context, that full compliance by States parties with all provisions of existing agreements and the resolving of compliance concerns effectively by means consistent with such agreements and international law can, inter alia, facilitate the conclusion of additional arms limitation and disarmament and non-proliferation agreements, and thereby contribute to better relations among States and the strengthening of world peace and security,

Believing that compliance with all provisions of arms limitation and disarmament and non-proliferation agreements by States parties is a matter of interest and concern to all members of the international community, and noting the role of the United Nations has played and should continue to play in that regard,

Welcoming the contribution to international peace and regional security that full compliance by States parties with verification provisions of arms limitation and disarmament and non-proliferation agreements provides,

Also welcoming the universal recognition of the critical importance of the question of compliance and verification of arms limitation and disarmament and non-proliferation agreements, and other agreed obligations,

1. Urges all States parties to arms limitation and disarmament and non-proliferation agreements to implement and comply with the entirety of all provisions of such agreements;

2. Calls upon all Member States to give serious consideration to the implications that non-compliance by States parties with any provisions of arms limitation and disarmament and non-proliferation agreements has for international security and stability, as well as for the prospects for progress in the field of disarmament;

3. Also calls upon all Member States to support efforts aimed at the resolution of compliance questions by means consistent with such agreements and international law, with a view to encouraging strict observance by all States parties of the provisions of arms limitation and disarmament and non-proliferation agreements and maintaining or restoring the integrity of such agreements;

4. Welcomes the role that the United Nations has played and continues to play in restoring the integrity of, and fostering negotiations on, certain arms limitation and disarmament and non-proliferation agreements and in the removal of threats to peace;

5. Requests the Secretary-General to continue to provide assistance that may be necessary in restoring and protecting the integrity of arms limitation and disarmament and non-proliferation agreements;

6. Encourages efforts by all States parties to develop additional cooperative measures, as appropriate, that can increase confidence in compliance with existing arms limitation and disarmament and non-proliferation agreements and reduce the possibility of misinterpretation and misunderstanding;

7. Notes the contribution that verification experiments and research can make and already have made in confirming and improving verification procedures for arms limitation and disarmament and non-proliferation agreements under study or negotiation, thereby providing an opportunity, from the time that such agreements enter into force, for enhancing confidence in the effectiveness of verification procedures as a basis for determining compliance;

8. Decides to include in the provisional agenda of its fifty-fourth session an item entitled 'Compliance with arms limitation and disarmament and non-proliferation agreements'.

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